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ORDINANCE NUMBER O- 19853 (NEW SERIES)

DATE OF FINAL PASSAGE MAY 28 2009

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING A SECOND AMENDMENT TO AN AGREEMENT WITH KIMLEY-HORN, INC. FOR THE BAYSHORE BIKEWAY AROUND SAN DIEGO BAY

WHEREAS, The City entered into a consultant contract with Kimley-Horn for engineering services for the Bayshore Bikeway on September 25, 2000; and

WHEREAS, The City entered into a first amendment to the consultant contract with Kimley-Horn on July 18, 2005; and

WHEREAS, The San Diego City Council approved the Site Development Permit and Environmental Permit (No. 1901, R-303016) on September 18, 2007;

NOW THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:


Section 1. That the Mayor is hereby authorized and empowered to execute, a Second Amendment to the Consulting Agreement with Kimley-Horn, Inc, for professional engineering services for the Bayshore Bikeway Project under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. OO 19853 together with any reasonably necessary modifications or amendments thereto which do not increase project scope or cost and which the Mayor shall deem necessary from time to time in order to carry out the purposes and intent of this project and agreement, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditures are, or will be, on deposit with the City Treasurer.

Section 2. That the City Comptroller, upon advice from the administering department, is authorized to transfer excess funds, if any, to the appropriate reserves.

Section 3. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

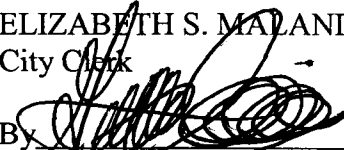
Section 4. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Ryan Kohut  
Deputy City Attorney

RK:js  
04/14/09  
Or.Dept:E&CP  
O-2009-130  
MMS #8687

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of MAY 12 2009.

ELIZABETH S. MALAND  
City Clerk  
By   
Deputy City Clerk

Approved: 5-28-09  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor